



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

March 20, 2021

BY CM/ECF

The Honorable Katherine Polk Failla
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

Re: United States v. Anilesh Ahuja, et al.
S1 18 Cr. 328 (KPF)

Dear Judge Failla:

The Government writes in opposition to the defendants' March 19, 2021 request to extend the briefing schedule for their post-trial motions by an additional three weeks. (Dkt. 440). As set forth below, the Court should not alter the current schedule, including because one of the two AUSAs handling this matter presently expects to go on parental leave in late April during the window the defendants now propose the Government prepare its opposition.

On February 16, 2021, the Court issued an Order directing the parties to confer and submit to the Court a proposed briefing schedule on the defendants' anticipated post-trial motions. (Dkt. 431). The Government initially proposed that the defendants file their motions within three weeks, by March 9, with the Government's opposition due three weeks thereafter, by March 30. The defendants indicated that they needed almost six weeks to file any motions, until March 26, and that they also wanted three weeks to file a reply brief. In an effort to reach a compromise, the Government proposed that the defendants file their motions within a month, by March 16 or 17. The defendants responded that they were unable to file motions before March 26 including because of various other commitments and scheduling issues. Rather than burden the Court with a briefing scheduling dispute, the Government agreed to the briefing schedule that the defendants indicated they required: almost six weeks to make motions (March 26), three weeks for the Government to file its opposition (April 16), and three weeks for the defendants to file any reply (May 7). The Court so-Ordered this schedule. (Dkt. 436).

Yesterday, the defendants asked the Court to extend the agreed upon briefing schedule by three weeks — giving them almost nine weeks to prepare motions — without asking the Government its position. (Dkt. 440). The Government objects to any further extension. The defendants have had sufficient time to review the record and prepare any post-trial motions they wish to make. These post-trial proceedings began almost nine months ago, AUSA Metzner

cc: Counsel of record